

REMARKS

Upon entry of the present preliminary amendment, claims 10-16 are pending in the present divisional reissue application, which is filed to correct U.S. Patent No. 6,263,939 B1 (hereinafter referred to as "the patent"). As noted, the present application is a divisional reissue application. The original reissue application, No. 10/288,204, has been suspended pending filing and examination of the present divisional reissue application. Claims 1-9 of the patent are canceled in this divisional reissue application, pursuant to the procedure set forth in MPEP 1450. Applicants understand that once the presently submitted claims 10-16 have been examined and allowed, the two sets of examined and allowable claims 1-16 will be recombined into a single reissue patent.

Status of Claims and Support for New Claims

Claims 10-16 are submitted in the present reissue application. In accordance with 37 C.F.R. 1.173(c), the following statement regarding the status of claims and support for new claims is submitted.

Reissue application claims 10-16 are newly submitted in the present reissue application.

Claims 10-16 are directed to an embodiment of the medium shown in Fig. 3, and to a method for fabricating the medium shown in Figs. 4 and 5A-5D, disclosed from column 10, line 61 to column 13, line 30 of the patent. Support for claims 10-16 is found therein.

Claims 10-16 of the present application were presented in the parent reissue application (serial no. 10/288,204). Applicant considered the parent reissue application of the present divisional reissue application to be a broadening reissue application, since the inventions claimed in claims 10-16 were not previously claimed in the patent. The parent reissue application, in which claims 10-16 were presented, was filed within the two year limitation set forth in 35 U.S.C. §251 for enlarging the scope of the claims

of the original patent. The present divisional reissue application presents the same claims 10-16, while canceling the original patent claims 1-9, which were also included in the parent reissue application. Thus, the broadened claims 10-16 of the present divisional reissue application were presented within the two year limitation set forth in 35 U.S.C. §251 for enlarging the scope of the claims of the original patent.

Claims to Priority

The present application is a divisional reissue application of U.S. Application No. 10/288,204, filed November 5, 2002, which is a reissue application of U.S. Patent No. 6,263,939 B1, which is a division of application No. 08/861,943, filed on May 22, 1997, now U.S. Patent No. 5,972,250, which is a division of application No. 08/599,181, filed on February 9, 1996, now U.S. Patent No. 5,681,634. In addition to the foregoing priority under 35 U.S.C. §120, each of these U.S. patents and applications (both original and reissue) claims priority under 35 U.S.C. §119 to Japanese Application No. 7-27086, filed February 5, 1995, to Japanese Application No. 7-58933, filed March 17, 1995, and to Japanese Application No. 7-58934, filed March 17, 1995.

Should the Examiner consider that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below. If any additional fees are required for the filing of these papers, Applicants request the Commissioner to charge those fees to deposit account #18-0988, Docket No. YAMAP0398USD.

Respectfully submitted,

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